

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

UNITED STATES OF AMERICA)	CR No.: 3:06-748-JFA
)	
v.)	ORDER
)	
DARIUS BELLE)	
)	
_____)	

The defendant, Darius Belle, pled guilty to drug conspiracy charges, and was sentenced to a custodial term of 400 months.

The government has now filed a motion for a reduction of sentence pursuant to Rule 35(b)(2) of the Federal Rules of Criminal Procedure. Specifically, the government suggests that the defendant has provided unrewarded substantial assistance in the investigation and prosecution of other individuals which conforms to the guidelines and policy statements issued by the United States Sentencing Commission pursuant to 28 U.S.C. § 994. In connection with its motion, the government recommends a reduction of one level to a guideline range of 324 to 405 months.

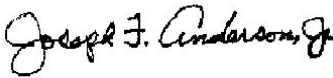
Consistent with its standard practice, this court advised the defendant that the government's motion to reduce his sentence had been filed and invited him to provide information that the court might consider in determining the extent of the departure. The defendant responded to the court's notice.

After carefully reviewing the materials submitted by the government and the defendant, this court is of the opinion that a reduction is appropriate in this case. Therefore, the defendant's new offense level is 39 (from the original offense level of 40¹) and the criminal history category remains at III, yielding an advisory sentencing range of 324 to 405 months imprisonment.

Accordingly, the government's motion for a reduction of sentence (ECF No. 1107) is hereby granted. The custodial portion of the defendant's sentence is hereby reduced to a term of 324 months. All other aspects of the original sentence remain in full force. The Clerk is requested to docket the defendant's motions to compel (ECF Nos. 1084 and 1092) as moot.

IT IS SO ORDERED.

March 8, 2013
Columbia, South Carolina


Joseph F. Anderson, Jr.
United States District Judge

¹ The defendant's original sentencing range was 360 months to Life.